

REMARKS

In the Office Action, claims 1, 3, 4, 9, 15-22, 26-31, 54-60, 62-66 and 68-73 are rejected under 35 U.S.C. § 102; and claim 14 is rejected under 35 U.S.C. § 103. Applicants believe that the rejections are improper and thus should be withdrawn for at least those reasons set forth below.

In the Office Action, claims 1, 3, 4, 9, 15-22, 26-31, 54-60, 62-66 and 68-73 are rejected under 35 U.S.C. § 102 as allegedly anticipated by U.S. Patent No. 6,757,314 ("Kneissl"). The Patent Office alleges that Kneissl discloses each and every feature of the claimed invention as defined by the claims at issue.

Contrary to the Patent Office's position, Applicants believe that Kneissl is distinguishable from the claimed invention. Of the pending claims at issue, claims 1, 15, 26, 54, 62 and 68 are the sole independent claims. These independent claims relate to a method of transferring a device. The method includes, in part, selectively irradiating an interface between a first substrate and the device included on the first substrate to selectively release the device from the first substrate such that it can be transferred to a device holding layer on a device holding substrate. This allows a selective portion of devices to be released from the first substrate and transferred to the holding substrate where another portion of the devices remain on the first substrate and thus are not transferred to the holding substrate as illustrated, for example, in Figures 1 and 2 and further described on pages 6 and 7 of Applicants' specification.

Contrary to the Patent Office's position, nowhere does Kneissl provide the selective irradiation of a substrate to allow the subsequent selective release of a device from the substrate at an interface between the device and the substrate, in contrast to the claimed invention. Kneissl merely provides proper adjustment of an excimer laser to allow decomposition of thin GaN layer 1130 at the interface between sapphire substrate 215 and semiconductor membrane 1110 such that separation of the entire sapphire substrate 215 from the semiconductor membrane 1110 at the interface can purportedly occur. See, Kneissl, col. 7, line 57 through col. 8, line 15; Figs. 11a-11c. Clearly, this is different from the claimed invention, where selective irradiation occurs at the interface between the substrate and device to allow a selective portion of devices to be released from the substrate upon selective irradiation thereon, wherein another portion of devices remains on the substrate as previously discussed. Indeed, the method disclosed in Kneissl uses irradiation to remove a substrate in its entirety from another substrate as discussed above, and

thus, fails to anticipate the selective transfer of a device as claimed, wherein selective irradiation at an interface between the substrate and devices allows the release and transfer of a portion of devices while another portion remains on the substrate.

Based on at least these reasons, Applicants believe that Kneissl is distinguishable from the claimed invention as defined by claims 1, 3, 4, 9, 15-22, 26-31, 54-60, 62-66 and 68-73. Accordingly, Applicants respectfully request that the anticipation rejection with respect to claims 1, 3, 4, 9, 15-22, 26-31, 54-60, 62-66 and 68-73 be withdrawn.

In the Office Action, claim 14 is rejected under 35 U.S.C. § 103 as allegedly unpatentable in view of U.S. Patent No. 3,783,297 ("Houston"). The Patent Office alleges that Houston on its own renders obvious claim 14.

Applicants believe that this rejection is improper. Claim 14 recites a device holding substrate. The device holding substrate includes a substrate and a silicone resin layer provided on the substrate, wherein a surface of the silicone resin layer has a recessed portion shaped to fit a pointed head portion of a device. The pointed head portion of the device can have diagonally intersecting or other substrate planes that define the pointed head portion, such as a hexagonal pyramid-shaped pointed head portion. The insertion of the pointed head of the device, such as light emitting devices, into the recessed portion shaped to fit the pointed head portion allows transfer without positional stagger. This allows an image display device or the like to be produced without lowering production. See, Specification, page 13; Figures 12-14.

Applicants believe the cited art is distinguishable from the claimed invention. For example, the x-ray intensifier of Houston is deficient with respect to a device holding substrate that includes a substrate and a silicone resin layer provided on the substrate, wherein a surface of the silicone resin layer has a recessed portion shaped to fit a pointed head portion of a device in contrast to the claimed invention.

The claimed pointed head portions have diagonally intersecting planes to define the pointed head shape, such as a hexagonal pyramid shape as discussed above. In contrast, Houston provides a device with rectangular projections. Houston, col. 4 lines 59 through 65. Indeed, the outer surface of these protrusions is substantially parallel to the major surface of the face plate to allow absorbing low angle light photons. Houston, col. 2 lines 5 through 18. What the Patent Office has done is to rely improperly on hindsight reasoning in support of the obviousness rejection. Again, the emphasis of Houston relates to a rectangular-shaped protrusion. Indeed,

the protrusions of the x-ray image intensifier of Houston are for absorbing light, not for fitting a device into a substrate. Thus, modifying the rectangular-shaped protrusions in Houston to improve fit and device transfer would not have been obvious to one skilled in the art.

Therefore, Applicants believe that Houston is distinguishable from the claimed invention for at least these reasons. Accordingly, Applicants respectfully request that the rejection with respect to claim 14 under 35 U.S.C. § 103 be withdrawn.


In the Office Action, claims 11, 23, 24, 34, 35, 61, 67 and 74 have been objected to for depending from a rejected base claims. At least for substantially the same reasons as discussed above, Applicants believe that this objection is improper and thus should be withdrawn. Further, claims 12, 25 and 36-53 have been allowed.

For the foregoing reasons, Applicants respectfully submit that the present application is in condition for allowance and earnestly solicit reconsideration of same.

Respectfully submitted,

BELL, BOYD & LLOYD LLC

BY



Thomas C. Basso
Reg. No. 46,541
P.O. Box 1135
Chicago, Illinois 60690-1135
Phone: (312) 807-4310

Dated: October 14, 2004